

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Franklin David Jr Harris, *et al.*,

Plaintiffs,

v.

Case No. 1:17cv540

Daniel Cooley, *et al.*,

Judge Michael R. Barrett

Defendants.

ORDER

This matter is before the Court on the Report and Recommendation filed by the Magistrate Judge on September 24, 2018 (Doc. 24).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge's Report and Recommendation have been filed.

Accordingly, it is **ORDERED** that the Report and Recommendation of the Magistrate Judge is hereby **ADOPTED**. Plaintiffs' Motion for Entry of Default (Doc. 21) is **GRANTED IN PART**. The Clerk shall enter default against Defendants Daniel Cooley and Kaylay Cooley. The Motion (Doc. 21) is **DENIED** without prejudice to review as to Defendant Spraughe consistent with the recommendation by the Magistrate Judge. Plaintiffs' Motion for Entry of Default (Doc. 23) is **DENIED AS MOOT**.

IT IS SO ORDERED.

s/Michael R. Barrett
Michael R. Barrett, Judge
United States District Court